

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE MOLYCORP, INC. SECURITIES
LITIGATION

Civil Action No. 13 Civ. 5697 (PAC)
CLASS ACTION

**UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF SETTLEMENT**

PLEASE TAKE NOTICE that Lead Plaintiff Gary Armstrong (“Lead Plaintiff”), individually and on behalf of all others similarly situated, and additional Plaintiffs Ronald Simmers, Gail Fialkov, Macie Jurkowski, Paul Saldana, Brett Huber, and Alan Trempe (collectively with Lead Plaintiff, “Plaintiffs”), by and through their attorneys Kirby McInerney LLP, will and hereby do move this Court on a date and at such time as may be designated by the Honorable Paul A. Crotty, Courtroom 14C, United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007-1312, for an order that, among other things: (i) grants Preliminary Approval of the Proposed Settlement (the “Settlement”); (ii) grants conditional certification of the Settlement Class; (iii) grants approval of the form and manner of Notice of the proposed Settlement to the Settlement Class; and (iv) sets a date for a Settlement Hearing and deadlines for the mailing and publication of the Notice, the filing of Settlement Class Member objections, the filing of Settlement Class Member opt-out notices, the filing of Plaintiffs’ motion for final approval of the Settlement, and the filing of Lead Counsel’s application for attorneys’ fees and expenses.

In addition to all prior pleadings and proceedings had herein, Plaintiffs also submits the following documents in support of Plaintiffs’ motion: (1) Memorandum of Law in Support of Unopposed Motion for Preliminary Approval of Settlement; (2) Declaration of Ira M. Press and

exhibits attached thereto, including the Stipulation of Settlement dated October 21, 2016 with exhibits attached thereto (annexed as Exhibit 1) (the “Stipulation”); and (3) a [Proposed] Preliminary Approval Order (“Proposed Order”). The Proposed Order is attached as Exhibit A to the Stipulation and is concurrently being submitted to the Court herewith.

Dated: November 18, 2016

Respectfully submitted,

KIRBY McINERNEY LLP

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